IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

THURSDAY, THE 18TH JANUARY 2007 / 28TH POUSHA 1928

WP(C).No. 18209 of 2006(P)

PETITIONER:

KERALA STATE ROAD TRANSPORT CORPORATION
REPRESENTED BY ITS CHAIRMAN AND MANAGING DIRECTOR,
TRANSPORT BHAVAN,FORT,THIRUVANANTHAPURAM.

ADV..SRI.K.PRABHAKARAN, SC, K.S.R.T.C.

RESPONDENTS:

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1. K.S.R.T.C.APPELLATE TRIBUNAL,
THIRUVANANTHAPURAM.

2.SRI.K.R.RAJENDRAN PILLAI,
KOTHAKURICHI VEEDU, WEST VENGOLA P.O.,
PERUMBAVOOR.

R2 BY ADV. SRI.S.EASWARAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 18/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C. KURIAKOSE,J.

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W.P.(C)No.18209 of 2006

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Dated: 18th January, 2007

JUDGMENT

Not that the persuasive submissions addressed before me by Mr.K.Prabhakraran, Standing Counsel for the K.S.R.T.C. were without any force, but the jurisdiction of this court under Article 226 of the Constitution to correct the orders passed by the quasi-judicial Tribunals is a narrow one. The question to be asked and answered is whether Ext.P6 order can be said to be wholly unreasonable so as to warrant interference under Article 226 of the Constitution. Having gone through Ext.P6, I am of the view that the learned Appellate Tribunal has considered all the relevant questions and has given cogent reasons for its decision. Of course, it was on a comparison of the admitted signatures of the delinquent with his disputed signatures on the so-called confession statement that the Tribunal mainly concluded that the confession statement is not a genuine one. If it is assumed that the power to make comparison of the signatures under Section 73 of the Indian Evidence Act was not available to the Tribunal, a District Judge on other duty, then also it should be seen that the Tribunal has also taken into account the clinching circumstance that the cash bag in question was not verified by the Inspector. The Tribunal has also noticed that the passengers in the

bus were not examined and that there is no independent evidence at all. I do not find any warrant for interference on Ext.P6. The Writ Petition will stand dismissed. The stay order will stand vacated and I am sure that the K.S.R.T.C. will comply with the directions in the impugned order (Ext.P6) without delay. No costs.

srd **PIUS C.KURIAKOSE, JUDGE**